

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Batra et al.

Serial No.: 09/894,921

Docket No.: 20243CA

Filed: June 28, 2001

For: "COMPRESSED TABLET FORMULATION"

Examiner:

Sharareh, Shahnam J.

Art Unit:

1617

EXPRESS MAIL CERTIFICATE
DATE OF DEPOSIT 11-10-03
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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
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Commissioner for Patents
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INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with 37 C.F.R. 1.97, submitted herewith on the attached form is a list of patents, publications, or other information. Copies of the cited references are enclosed. The submission and listing of these references is not to be construed as an admission that any of the submitted references is "prior art" with respect to the claimed invention. In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

Each item of information contained herein was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months before the filing of this information disclosure statement. The following are comments on three of documents in the attached list:

1. Document D3 is in Spanish, but translations of selected parts of the text are in parentheses. The document discloses certain HIV-1 protease inhibitors (especially saquinavir, ritonavir, indinavir and nelfinavir), and provides a brief discussion of clinical studies, resistance, adverse effects and metabolism. There is no mention of efavirenz. This document has essentially no relevance to the claimed subject matter.

2. Document D4 is also in Spanish, but translations of selected parts of the text are in parentheses. The document lists the principal groups of HIV antivirals

including efavirenz. This document has essentially no relevance to the claimed subject matter.

3. Document D5 is a portion of a 1995 edition of Remington's Pharmaceutical Sciences. Pages 859-863 closely correspond to Remington's Pharmaceutical Sciences, 19th edition, 1995, pp. 1616-1620, which is already of record. Pages 865-869 of Document C provide a general description of granulation methods. This document provides general technical information of interest as background with respect to the claimed invention, but is not otherwise relevant.

It is requested that the Examiner consider the cited references as part of the examination of the subject application, make the references of record, and return an initialed copy of the attached form with the next communication to Applicants.

Since this statement is being filed before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. 1.114, no fee is believed to be due.

Respectfully submitted,

By:

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Date: November 10, 2003

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Substitute for Form 1449A/PTO		<i>COMPLETE IF KNOWN</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	09/894,921
		Filing Date	June 28, 2003
		First Named Inventor	Batra et al.
		Group Art Unit	1617
		Examiner Name	Sharareh, Shahnam J.
Sheet	1	of	2
		Attorney Docket Number	

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 09/05/2003

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

Substitute for form 1449B/PTO			<i>COMPLETE IF KNOWN</i>		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Application Number	09/894,921	
			Filing Date	June 28, 2003	
			First Named Inventor	Batra et al.	
			Group Art Unit	1617	
			Examiner Name	Sharareh, Shahnam J.	
Sheet	2	of	2	Attorney Docket Number	20243CA

NON PATENT LITERATURE DOCUMENTS

Examiner Signature _____ **Date Considered** _____

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEARCHED SERIALIZED INDEXED COMPUTER-GENERATED FORM "IDS FORM" (IDS FOLDER). MERCK & CO., INC., 09/05/2003

P&T OFFICE ACKNOWLEDGEMENT

ATTORNEY Kenneth R. Walton	DATE 11/10/2003
CASE NUMBER/ 20243CA	SERIAL NUMBER 09/894,921
DATE FILED June 28, 2001	
APPLICANT Batra et al.	
EXPRESS MAIL NO. EV 323152342 US	

The Patent & Trademark Office acknowledges and has stamped hereon, the date of the receipt of the items checked below:

NOV 10 2003
PATENT & TRADEMARK OFFICE

- AMENDMENT
- APPEAL AND FEE
- ASSIGNMENT
- BRIEF
- CERTIFICATE OF CORRECTION
- FINAL FEE
- LETTER
- REQUEST FOR F.F. LICENSE
- INFORMATION DISCLOSURE STATEMENT
- PTO 1449 & REFERENCES
- PETITION FOR EXTENSION OF TIME & FEE
- INVITATION TO CORRECT
- DEMAND-CHAPTER II & FEE SHEET

F4424